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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 ASHLEY WINN;

11 Plaintiff,

12 vs.

13 SHELTER MUTUAL INSURANCE
COMPANY; STATE FARM MUTUAL
14 AUTOMOBILE INSURANCE COMPANY;
and DOES I through X, and ROE Corporations
15 I through X, inclusive,

16 Defendants.

CASE NO.: 2:22-cv-1441-JCM-BNW

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[SEVENTH REQUEST]

17
18 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of
19 record, hereby stipulate and request that this Court extend discovery in the above-captioned case
20 by one hundred and sixteen days (116) days, up to and including January 17, 2025. In addition,
21 the parties request that all other future deadlines contemplated by the Discovery Plan and
22 Scheduling Order be extended pursuant to Local Rule. In support of this Stipulation and Request,
23 the parties state as follows:

24 **DISCOVERY COMPLETED**

- 25 1. On November 16, 2022, the parties conducted an initial FRCP 26(f) conference.
26 2. On February 24, 2023, Plaintiff served written discovery on Defendant State
27 Farm. State Farm served its Responses on April 13, 2023.
28 3. On February 24, 2023, Plaintiff served her FRCP 26 Initial Disclosures.

4. On January 23, 2023, Defendant State Farm served its FRCP 26 Initial Disclosures.
5. On March 2, 2023, Defendant Shelter served its FRCP 26 Initial Disclosures.
6. On March 2, 2023, Plaintiff filed her FRCP 26.1 Initial Disclosures.
7. On April 12, 2023, Defendant Shelter served their responses to Plaintiff's First Request for Production.
8. On April 13, 2023, Defendant State Farm failed their Responses to Plaintiff's First Request for Production.
9. On May 1, 2023, Plaintiff filed her Answer to Defendant State Farm's First Set of Interrogatories, and Defendant State Farm's First Set of Request for Production.
10. On May 17, 2023, Plaintiff filed her supplemental Answers to Defendant State Farm's First Set of Interrogatories, and Supplemental Responses to Defendant State Farm's First Set of Request for Production.
11. On July 5, 2023, Defendant Shelter filed their First Set for Interrogatories and Request for Production to Plaintiff.
12. On September 14, 2023, Plaintiff filed her responses to Defendant Shelter Insurance's First Set of Interrogatories and Shelter Insurance's First Set of Requests for Production.
13. On October 12, 2023, Defendant Shelter filed their First Supplemental Disclosure Pursuant to FRCP 26(a)(1).
14. On October 13, 2023, the deposition of Plaintiff Ashley Winn took place.
15. On October 23, 2023, Defendant State Farm served their FRCP 26 First Supplemental List of Witnesses and Documents.
16. On October 31, 2023, Plaintiff served her First Supplement to FRCP 26 Production.
17. On December 12, 2023, Plaintiff served her Second Supplement to FRCP 26 Production.
18. On January 30, 2024, Plaintiff served her First Set of Interrogatories on Defendant State Farm. State Farm served their Answers on February 14, 2024.
19. Also on January 30, 2024, Plaintiff served her First Set of Interrogatories on

- 1 Defendant Shelter.
- 2 20. On February 13, 2024, Defendant State Farm served their FRCP 26 Amended
- 3 Second Supplemental List of Witnesses and Documents.
- 4 21. On February 22, 2023, Defendant State Farm served their FRCP 26 Third
- 5 Supplemental List of Witnesses and Documents.
- 6 22. On February 26, 2024, the deposition of Amand Fauch took place.
- 7 23. On February 27, 2024, the deposition of Lia Wright took place.
- 8 24. On February 29, 2024, Defendant Shelter served their FRCP 26 Second
- 9 Supplemental Disclosures.
- 10 25. Alson on February 29, 2024, Defendant Shelter served their Answers to Plaintiff's
- 11 First Set of Interrogatories.
- 12 26. On March 2, 2023, Defendant Shelter served their FRCP 26 Initial Disclosures.
- 13 27. On March 20, 2024, Plaintiff served her Second Set of Requests for Production to
- 14 Defendant Shelter.
- 15 28. On April 8, 2024, at 11:30 am, the deposition of Rikki Simmons was set and
- 16 parties prepared and arrived, but did not finish due to significant emergency.
- 17 29. On April 19, 2024, at 10:00 am, the deposition of Rodney Hernandez took place.
- 18 30. On April 25, 2024, the deposition of Holly Spinks took place.
- 19 31. On April 25, 2024, Defendant, Shelter Mutual Insurance Company served their
- 20 Fourth Supplemental Disclosures Pursuant to FRCP 26(a)(1).
- 21 32. On April 25, 2024, Defendant, Shelter Mutual Insurance Company served their
- 22 First Supplemental Responses to Plaintiff's Second Set of Requests for Production
- 23 of Documents.
- 24 33. On April 30, 2024, the deposition of Daniel Mayes took place.
- 25 34. On May 24, 2024, the deposition of Rikki Simmons took place.
- 26 35. On May 29, 2024, the deposition of Christine Racine took place.
- 27 36. On May 29, 2024, the deposition of Giana Tippetts took place.
- 28 37. On June 14, 2024, the deposition of Joe Hooker took place.

1 38. On June 14, 2024, Defendant, Shelter Mutual Insurance Company served their First
2 Set of Requests for Production of Documents to Defendant State Farm Mutual
3 Automobile Insurance Company.

4 39. On June 18, 2024, the deposition of Paul Fitch took place.

5 40. On July 18, 2024, Defendant, State Farm Mutual Automobile Insurance Company
6 served their FRCP Fourth Supplemental List of Witnesses and Documents.

7 41. On July 18, 2024, Defendant, State Farm Mutual Automobile Insurance Company
8 served their Responses to Defendant Shelter Mutual Insurance Company's First Set
9 of Requests for Production of Documents.

10 42. On August 5, 2024, Defendant, Shelter Mutual Insurance Company served their
11 Initial Designation of Expert Witnesses.

12 43. On August 5, 2024, Defendant State Farm Mutual Automobile Insurance Company
13 served their Designation of Expert Witnesses.

14 44. On August 5, 2024, Plaintiff served their Initial Expert Disclosures Pursuant to
15 FRCP 26.

16 45. On August 21, 2024, Plaintiff served their Supplemental Expert Disclosures
17 Pursuant to FRCP 26.

18 46. On August 26, 2024, Plaintiff served their Rebuttal Expert Disclosures Pursuant to
19 FRCP 26.

20 **DISCOVERY REMAINING**

21 1. The parties will continue participating in written discovery.

22 2. The Parties Will Conduct the following expert depositions.

23 a. David H. Paige, Esq. scheduled for October 3, 2024 at 10:00 am in Las
24 Vegas, Nevada.

25 b. Scott Glogovac, Esq, Plaintiff expert not yet scheduled.

26 c. Steven Plitt Esq, State Farm expert not yet scheduled.

27 3. The parties will supplement their expert reports as necessary.

28 4. The parties reserve the right to depose any 30b6 witness as necessary and propound

discovery based on any new facts.

5. Further, any appropriate discovery may also need to be conducted, including additional written discovery and/or depositions of percipient witnesses.

6. Any and all discovery required as permitted by the Federal Rules of Civil Procedure.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, the parties seek this extension solely for the purpose of allowing sufficient time to conduct discovery.

The parties have been diligent in moving the case forward: participating in a reasonable amount of discovery, including exchanging their initial lists of witnesses and documents; propounding written discovery requests and preparing responses thereto; records procurement; and preparing for Plaintiff's deposition.

Additionally, the deposition of David H. Paige, Esq. is currently scheduled for October 3, 2024 at 10:00 in Las Vegas.

The parties will prepare for and take the depositions of the respective experts, Scott Glogovac in Reno and Steven Plitt in Phoenix. These expert depositions have not yet been noticed, but are pending based on expert availability.

Due to the delays mentioned above, Counsels needs additional time to complete the above depositions of State Farm and Defendants' FRCP 30(b)(6) witness (if necessary), and experts.

Lastly, the current deadline for rebuttal expert disclosures is August 26, 2024. Operationally, the various claims handling experts require time to review the deposition transcripts for their reports. The current discovery schedule does not allow for this to take place, or would require post deadline supplementation.

In an effort to accommodate all counsel and parties, all parties have agreed to extend the deadlines another one hundred and sixteen days (116) days so that the required discovery can be conducted in the proper sequence and consistent with the availability of multiple counsel in the

case. Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3. This stipulation is made more than 21 days before the expiration of any deadlines.

This is the seventh request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the short extension. The parties do not anticipate any more significant writing discovery or document productions. The deadline to amend pleadings has passed and the parties are not requesting that deadline be reopened.

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Monday, September 23, 2024</i>	<i>Friday, January 17, 2025</i>
Expert Disclosure pursuant to FRCP 26 (a)(2)	<i>Monday, August 5, 2024</i>	<i>Closed</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Monday, August 26, 2024</i>	<i>Tuesday, October 1, 2024</i>
Dispositive Motions	<i>Tuesday, October 22, 2024</i>	<i>No change requested..</i>
Joint Pretrial Order	<i>Monday, November 25, 2024</i> <i>If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.</i>	<i>No change requested.</i>

WHEREFORE, the parties respectfully request that this Court extend the discovery period by one hundred and sixteen days (116) days from the current deadline of September 23, 2024, up

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to and including January 17, 2025, and the other dates as outlined in accordance with the table above.

Dated this 29th day of August, 2024.

Dated this 28th day of August, 2024.

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/s/ Frank A. Toddre, II

/s/ John B. Greene

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Dated this 28th day of August, 2024.

KEATING LAW GROUP

IT IS FURTHER ORDERED that
absent extenuating circumstances, the Court
is not inclined to grant further extensions.

/s/ John T. Keating

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ORDER

IT IS SO ORDERED.

DATED this 30 day of August, 2024.


UNITED STATES MAGISTRATE JUDGE